

From: [John Hebert](#)
To: [Jennifer Gaines](#)
Subject: Fw: questions about bromethalin ag use and 18 months existing stocks policy
Date: 03/13/2009 04:22 PM

jen - for the (approval of) mitigation compliant labels, are we saying something about existing stocks? or are we silent?

thanks,
john

----- Forwarded by John Hebert/DC/USEPA/US on 03/13/2009 04:19 PM -----

From: "Jim Barron" <jbarron@exponent.com>
To: John Hebert/DC/USEPA/US@EPA
Date: 03/12/2009 04:13 PM
Subject: questions about bromethalin ag use and 18 months existing stocks policy

Hey John,

Thanks for calling me back today.

My client will be amending his bromethalin labels and he wishes to maintain his agricultural uses for bromethalin. He wants to know which labeling standard he needs to comply with as the directions given on page 18 of the Mitigation document and again in the label tables on pages 35 and 35 do not clearly address the labeling requirements for the ag uses for the first generation anticoagulant and non-anticoagulant rodenticides.

Also, as we discussed, he wants to know exactly what the Agency's expectation will be for producing and selling non-compliant product after the Agency approves the amended labels. The way we currently interpret the decision is, if he submits amended labeling in December this year, he still in any case has until June 2011 (18 months) to keep producing and loading the channel with non-compliant product regardless of when the Agency approves the amended labeling. However, as discussed, he understands that whenever he starts to print the amended labeling approved by the Agency and sends it to the States, he then has to immediately stop producing the old non-compliant product. i.e, he cannot produce and sell both compliant and non-compliant product at the same time as this will create an enforcement problem.

Thanks for your clarification and help !!

Jim

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